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James T. Morris

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FULBRIGHT & JAWORSKI, LLP (ADOBE)

2200 ROSS AVENUE

SUITE 2800

DALLAS, TX 75201-2784

EXAMINER

TRAN, PAUL P

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/791,298	Applicant(s) MORRIS ET AL.	
	Examiner PAUL P. TRAN	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-19,21-65 and 67-102 is/are pending in the application.
- 4a) Of the above claim(s) 2,20 and 66 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-19,21-65 and 67-102 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>01/20/2009</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments on the Remarks filed on 12/19/2008 from with respect to the rejection(s) of claim(s) 1, 3-19, 21-65, and 67-102 under §103(a) rejection have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of new found prior arts.

Specification Objections

2. The disclosure is objected to because of the following informalities:
 - 2.1. In paragraph [0001] and paragraph [0020], the incorporated references of the application numbers were filled with unknown characters XX/XXX,XXX (sic). The correct application number should be filled in to make the incorporation by reference valid and readable to users. Appropriate correction is required.

Claim Objections

3. The following claims are objected to because of the following informalities:

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3.1. Regarding Claims 21-22 and 28, the claims are inappropriately set dependent to a cancelled claim 20. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

4. Claims 4, 12 and 26, rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4.1. Regarding Claim 4, the term “a user interface application” renders the claim indefinite, since it’s unclear whether the “user interface application” is for one of the mobile units or for the subscription server. Similar issue is found in Claim 26. Appropriate correction is required.

4.2. Regarding Claim 12, the term “a push engine” renders the claim indefinite, since it’s unclear whether the “push engine” is for one of the mobile units or for the subscription server. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) The invention was described in — (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 3-19, 21-65 and 67-102 are rejected under 35 U.S.C. 102(e) as being anticipated by Clayton et al. (US Pat. 6725022 B1, hereinafter “Clayton”).

5.1. Regarding Claims 1, 19 and 34, Clayton discloses a method and mobile information system comprising: a plurality of mobile units; a subscription server in communication with said plurality of mobile units (Fig. 1 & 3, ref 20/184, ref 182, 200,210, Col. 6: 26-54, plurality of multimedia devices 20/184 communicating with multiple servers 182, 200, and 210, i.e. subscription server, via Internet gateway 30); and a client subscription manager operable on said subscription server for compiling a data feed for each one of said plurality of mobile units, said data feed comprising channel data for each one of a plurality of channels subscribed to by each one of said plurality of mobile units (Fig. 3, ref 200, Col. 11: 22-49, a customer adaptive profiler 200, i.e. subscription manager, compiling user's system preferences such as channel selection and purchasing interest, i.e.

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data feed, for each user of the multimedia device); one interactive multimedia runtime container (iMRC), operable on a display of said plurality of mobile units, for said each one of said plurality of channels subscribed to (Fig. 2, ref 166, 170, Col. 10: a radio device display or screen 160 with interactive multimedia soft action buttons or selectors 162, 166, 170, 172 embedded with software application stored in memories 50, 92, i.e. iMRC, operable on the display 160 for user to navigate and select the preferred channel that user subscribes to); and a channel application, operable within said one iMRC, for presentation of one of said plurality of channels subscribed to, wherein said channel application presentation uses said channel data from said data feed to display one of said plurality of channels subscribed to (Fig. 2, ref 166, 170, 172, Col. 10: 1-36, user is able to configure soft preset buttons such that it can be operable on selectable channel(s) for display on the screen 160; the computer application programs stored in memory 50 and 92 in the multimedia device 20 control each action buttons, i.e. iMRC, to display and operate on each user's selected channel).

5.2. Regarding Claims 3, 33 and 35, Clayton discloses the method and the mobile information system of claim 1 further comprising: a navigation component on each of said mobile units for translating navigation movements entered by a user into navigation signals, wherein said navigation signals control at least one of: navigation between ones of said plurality of channels (Fig. 2, ref 162, ref 166, 170, 172, 174, Col. 7: 47-54; Col. 9: 14-29, user can navigate for selection of channel using navigation buttons 162a-b or preset buttons 170, 172, 174); and

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navigation within rich media information displayed within said each one of said plurality of channels (Fig. 2, ref 160, Col. 9: 1-29, the multimedia data are displayed on the screen 160 as hierarchical channel display or soft action keys for user selection through navigation).

5.3. Regarding Claims 4, 26 and 45, Clayton discloses the mobile information system of claim 1 further comprising: a user interface application for receiving input from a user related to at least one of: subscription to one or more of said plurality of channels; unsubscribing to one or more of said plurality of rich media channels subscribed to (Fig. 2, ref 160, Col. 9: 1-29 , allowing user to access and select audio and information channels); and user preferences for information to be presented in said each of said plurality of channels subscribed to (Fig. 2, Col. 9: 52-61, channel selection is displayed to user's preferable configuration).

5.4. Regarding Claim 5, Clayton discloses the mobile information system of claim 1 further comprising: a feed store located within each of said plurality of mobile units, wherein said feed data is stored associated with each corresponding one of said plurality of channels subscribed to (Fig. 1-2, ref 50, ref 92, Col. 8: 31-47, memory storage 50 and 92 on the multimedia device 20 for storing applications associated with different communication channels).

5.5. Regarding Claim 6, Clayton discloses the mobile information system of claim 5 wherein said channel data stored in said feed store is accessible only by said each corresponding one of said plurality of channels (Fig. 2; Fig. 5, Col. 8:

57-67, multimedia data in storage are accessible by the soft action buttons on the display dedicated for selected channel).

5.6. Regarding Claim 7, Clayton discloses the mobile information system of claim 1 further comprising: a signaling engine located within each of said plurality of mobile units, wherein said signaling engine monitors for signals transmitted by said subscription server (Fig. 1-2, ref 110, Col. 14: 51-64, the device monitors signal from local station such that in case of a lost in signal, the device 20 sends a request to gateway broadcaster for synchronizing the list of local stations).

5.7. Regarding Claims 8 and 25, Clayton discloses the mobile information system of claim 7 wherein said signals transmitted by said subscription server indicate availability of an updated data feed (Fig. 3, Col. 11: 7-39, program listings, advertisements are updated and sent to user device based on geographic area).

5.8. Regarding Claim 9, Clayton discloses the mobile information system of claim 8 wherein said mobile device transmits a request for said updated data feed upon receipt of said signals (Fig. 2, Col. 11: 21-39, user wishes to purchase product may press soft action buttons to buy or update feed data; Col. 14: 51-64, the device monitors signal from local station such that in case of a lost in signal, the device 20 sends a request to gateway broadcaster for synchronizing the list of local stations).

5.9. Regarding Claim 10, Clayton discloses the mobile information system of claim 1 further comprising: a transaction manager located within each of said plurality of mobile units, wherein said transaction manager transmits information received from a user to said subscription server (Figs. 1-2, a communication unit gateway transceiver 130 control communication interface for sending/receiving, i.e. transaction, information to/from gateway network 30 containing central servers 182, i.e. subscription server).

5.10. Regarding Claim 11, Clayton discloses the mobile information system of claim 10 wherein said information received from said user comprises at least one of: user preferences concerning display of plurality of channels subscribed to (Col. 7: 55-59, preferred channels and information services); and user requests for subscribing to another one of said plurality of channels (Col. 8: 31-56, multimedia data containing audio broadcasting data, internet information and video navigation data through different channels).

5.11. Regarding Claim 12, Clayton discloses the mobile information system of claim 1 further comprising: a push engine for separating said data feed into data chunks corresponding to channel data for each one of said plurality of channels subscribed to (Fig. 3, Col. 10: 66-Col. 11: 39, dedicated server with data cache for enhancing streaming data, personalized for fitting and pushed to the multimedia device 20).

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5.12. Regarding Claims 13 and 40, Clayton discloses the mobile information system of claim 1 wherein said channel application is downloaded from said subscription server on subscription to one of said plurality of channels (Col. 7: 4-12, 24-30, personal information, audio or multimedia files are downloaded to device 20 using wireless cellular, internet connection 60 or via short range communication 70 into configuration channels of display interface).

5.13. Regarding Claims 14 and 41 Clayton discloses the mobile information system of claim 13 wherein updates to said channel application are downloaded from said subscription server (Col. 8: 7-16, navigation services are updated from gateway 30 via downloading when device 20 reports location change).

5.14. Regarding Claim 15, Clayton discloses the mobile information system of claim 1 wherein said subscription server transmits one or more system feeds for providing system data (Fig. 3, ref 30, Col. 11: 1-39, server comprising streaming data 188, personal information data channels 204 and navigation data services 202).

5.15. Regarding Claim 16, Clayton discloses the mobile information system of claim 15 wherein said system data provides channel data for displaying one or more system channels (Fig. 3, ref 30, Col. 11: 1-39, server comprising streaming data 188, personal information data channels 204 and navigation data services 202).

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5.16. Regarding Claims 17, 32 and 47, Clayton discloses the mobile information system of claim 16 wherein said one or more system channels comprises one or more of: a channel listing providing information on each of said plurality of channels available for subscription; a headline channel for displaying a summary of each of said plurality of channels subscribed to, said summary displayed in a single channel; a promotions channel for displaying one or more promotions directed to a plurality of subscribers to said mobile information system; visual elements of said iMRC; and a game channel (Col. 11: 7-20, program listing via database 194; Fig. 3, ref 194, ref 196, ref 188, ref 202, Col. 11: 1-38, the internet gateway comprising streaming data servers 188 as discovery channels, broadcast relational database 194 shows current playing channels; advertising database 196 for showing promotions channels; Fig. 2, ref 160, multimedia device containing LCD display screen for visually displaying, i.e. visual elements, the hierarchical channels; Col. 7: 4-12, personal information services comprising email, stock quotes, interactive audio games, etc.).

5.17. Regarding Claim 18, Clayton discloses the mobile information system of claim 16 wherein said one or more system feeds are accessible only by said one or more system channels (Col. 8: 31-56, GPS navigation and personal information data channels are system accessible only channels).

5.18. Regarding Claims 21, 38 and 46, Clayton discloses the system of claim 19 wherein access to said channel data associated with said each one of said

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plurality of rich media channels is restricted to said each one of said plurality of rich media channels (Fig. 3, ref 188, Col. 11: 4-7, a dedicated streaming data servers 188 are used to broadcast personalized audio broadcasts to vehicle 184; Fig. 3, ref 200, Col. 11: 40-49, registration and profile information; Col. 14: 1-14, user can only access channels that matches with profile).

5.19. Regarding Claims 22, 36, and 37, Clayton discloses the system of claim 19 further comprising: a push engine application on said mobile device for separating said stream of channel data for each of said plurality of rich media channels and storing said separate channel data in said channel data storage (Col. 9: 30-51, with navigation button, user can see all channels in screen, but when selected, the each channel data will find correct application to play; Col. 8: 57-67, digital data may be stored in multimedia device 20 for playback viewing).

5.20. Regarding Claim 23, Clayton discloses the system of claim 19 further comprising: a channel application storage on said mobile device for storing a rich media application defining the visual experience of each of said plurality of rich media channels (Fig. 1-2, ref 50, 92, Col. 8: 57-67, digital real-time broadcasts can be stored into digital storage 92 for playback).

5.21. Regarding Claim 24, Clayton discloses the system of claim 23 wherein said stream of channel data also comprises application data defining said channel application (Fig. 5, Col. 14: 15-29, the stream of data are categorized into channels with different applications).

5.22. Regarding Claim 27, Clayton discloses the system of claim 19 wherein a first page of each of said plurality of rich media channels subscribed to is sequentially displayed on said display when no activity has been detected by a user for a predefined period of time (Fig. 2, Col. 11: 34-39, enhanced advertising information is pushed to user for a short period of time on the screen).

5.23. Regarding Claim 28, Clayton discloses the system of claim 20 wherein a rich media subscription server updates said channel data stored in said channel data storage (Col. 8: navigation information is updated in the navigation application stored in the storage 92).

5.24. Regarding Claim 29, Clayton discloses the system of claim 28 wherein said updates are initiated by at least one of: said mobile device; and said rich media subscription server (Fig. 2, Col. 11: 21-39, user wishes to purchase product may press soft action buttons to buy or update feed data; Col. 14: 51-64, automatically updating lost signal).

5.25. Regarding Claim 30, Clayton discloses the system of claim 29 wherein an option is presented to said user for selecting an interval in which to poll said rich media subscription server for said updates (Col. 11: 22-38, user can press "BUY" or "INFO" button to request ad contents to be pushed to device 20 at set intervals).

5.26. Regarding Claim 31, Clayton discloses the system of claim 19 further comprising: one or more streams of system data describing information related to

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operation of said system, wherein said system data is accessible by one or more system channels (Fig. 1, ref 40, Col. 11: 15-24, configuration data are sent to multimedia device 20 for setting the user's interface environment).

5.27. Regarding Claim 39, Clayton discloses the method of claim 34 further comprising: presenting subscriptions options to said user for said plurality of DMIC (Figs. 2 & 5, ref 160, Col. 9: 1-29, hierarchical display presenting user's subscribed channels); responsive to selections made by said user, communicating subscriptions selections to a multimedia information server (Col. 8: 47-56, multimedia device sends subscription, navigation, purchase request to gateway network 30).

5.28. Regarding Claim 42, Clayton discloses the method of claim 41 wherein said update system comprises one or more of: receiving said updates directly from said dynamic information subscription server when changes to one of said channel data and said channel application are detected (Col. 11: 7-21, information in the database are constantly changed are continuously updated); and receiving said updates responsive to a request from said mobile device, wherein said request is issued according to one of: an update available signal received from said dynamic information subscription server; and passing of a predetermined period of time (Col. 3, 1-8, database is updated manually or automatically via location change, i.e. signal provided to location server).

5.29. Regarding Claim 43, Clayton discloses the method of claim 42 wherein said user designates said predetermined period of time (Col. 11, advertisement is pushed to device 20 in a set intervals, i.e. predetermined period of time).

5.30. Regarding Claim 44, Clayton discloses the method of claim 34 further comprising: receiving user preferences from said user at said mobile device; and communicating said user preference to said dynamic information subscription server for tailoring said stream of data to said user preference (Col. 11: 40-56, user transmit preferences to gateway 30; Col. 12: 8-14, gateway 30 transmits events based on user's preferences).

5.31. Regarding Claims 48, 51 and 63, Clayton discloses the method and system for viewing interactive rich media information on a mobile device (Fig. 1-2, Col. 8: 31-56) comprising: means for interacting with a user interface of said mobile device to subscribe to plurality of rich media channels having rich media content (Fig. 2, ref 160, Col. 9: 1-29, screen 160 with soft action buttons and selectors for selecting multimedia channels); means for displaying one of said plurality of rich media channels on a display of said mobile device (Fig. 2, ref 160, Col. 9: 1-29, screen 160 with hierarchical channel display for displaying multimedia channels); and means for manipulating a navigation mechanism on said mobile device to explore said rich media content on one of said plurality of rich media channels (Fig. 2, ref 162a-b, Col. 9: 30-51, navigation buttons for selecting desired channel from display); means for receiving said content,

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updates directly from an enhanced subscription server when changes to one of said plurality of rich media channels is detected (Fig. 2, Col. 8: 31-56, multimedia device 20 comprising microcomputer 90 memory 50, 92 transceiver 100, 110, 120 and 130 interfacing with broadcast channels, GPS, cellular and Internet gateway; Col. 11: 8-21, application is downloaded and updated from the server); and means for receiving said content updates responsive to a request from said mobile device, wherein said request is issued according to one of: an update available signal received from said enhanced subscription server; and passing of a predetermined period of time (Col. 3, 1-8, database is updated manually or automatically via location change, i.e. signal provided to location server; Col. 14: 51-67, program is updated when the lost of signal is occurred).

5.32. Regarding Claims 49, 64, Clayton discloses the method and system further comprising: means for interacting with said user interface of said mobile device to enter preferences applicable to said plurality of rich media channels subscribed to (Fig. 2, ref 160, Col. 9: 1-29, allowing user to access and select audio and information channels; Fig. 2, Col. 9: 52-61, channel selection is displayed to user's preferable configuration).

5.33. Regarding Claims 50 and 65, Clayton discloses the method and system further comprising: means for automatically receiving content updates for said plurality of rich media channels subscribed to (Col. 3, 1-8, database is updated

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manually or automatically via location change, i.e. signal provided to location server).

5.34. Regarding Claims 52 and 67, Clayton discloses the method and system further comprising: means for receiving a subscriber-specific stream of channel data from an enhanced subscription server; and means for storing said channel data in a channel-specific memory (Col. 7: 41-46, user can receive enhanced broadcast information and can save it into gateway server 30 with a push of button).

5.35. Regarding Claims 53 and 68, Clayton discloses the method and system further comprising: means for restricting access to said channel data to ones of said plurality of rich media channels associated with said channel data (Fig. 3, ref 200, Col. 11: 40-49, registration and profile information; Col. 14: 1-14, user can only access channels that matches with profile).

5.36. Regarding Claims 54 and 69, Clayton discloses the method and system further comprising: means for using subscription information entered during execution of said means for interacting to compile said subscriber-specific stream of channel data (Col. 11: 50-56; Col. 12: 1-14, user sends information to gateway server 30 to configure subscription information and data channels).

5.37. Regarding Claims 55 and 70, Clayton discloses the method and system, further comprising: means for using said preferences to compile said subscriber-specific stream of channel data (Col. 11: 50-56; Col. 12: 1-14, user sends

information to gateway server 30 to configure subscription information and data channel).

5.38. Regarding Claims 56 and 71, Clayton discloses the method and system further comprising: means for running an interactive multimedia runtime container (iMRC) for each of said plurality of rich media channels displayed on said mobile device (Fig. 2, ref 166, 170, Col. 10: a radio device display or screen 160 with interactive multimedia soft action buttons or selectors 162, 166, 170, 172 with software application stored in memories 50, 92, i.e. iMRC, operable on the display 160 for user to navigate and select the preferred channel, i.e. subscribed to).

5.39. Regarding Claims 57 and 72, Clayton discloses the method and system further comprising: means for combining said channel data and channel application logic in said iMRC to display said plurality of rich media channels (Fig. 2, ref 166, 170, 172, Col. 10: 1-36, user is able to configure soft preset buttons such that it can be operable on selectable channel(s) for display on the screen 168; the computer application programs stored in memory 50 and 92 in the multimedia device 20 control each action buttons, i.e. iMRC, to display and operate on each user's selected channel).

5.40. Regarding Claims 58 and 73, Clayton discloses the method and system wherein said channel application logic comprises one of: application logic preexisting on said mobile device (Fig. 1-2, ref 50, 92, Col. 8: multimedia device

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20 contains operating system and applications to control and communicate with four on-board receivers); and application logic downloaded from said enhanced subscription server upon subscription to one of said plurality of rich media channels (Col. 7: 4-12, download applications to update the system using Internet connection 60).

5.41. Regarding Claims 59 and 74, Clayton discloses the method and system further comprising: means for automatically receiving logic updates for said channel application logic (Fig. 1-2, ref 100, 110, 120, and 130, Col. 8: 7-11, Col. 11: 8-21, Information database is constantly updated by day; navigation and advertisement service is updated when user change location).

5.42. Regarding Claims 60 and 75, Clayton discloses the method and system further comprising: means for receiving at least one stream of system channel data at said mobile device; and means for displaying at least one system channel using said system channel data (Fig. 2, Col. 8: 31-56, transceiver 100, 110, 120 and 130 for receiving channel data and Col. 9: 1-29, display 160 with soft action and navigation buttons/keys for display channel data).

5.43. Regarding Claims 61 and 76, Clayton discloses the method and system further comprising: means for restricting access to said system channel data to said at least one system channel (Fig. 3, ref 200, Col. 11: 40-49, registration and profile information; Col. 14: 1-14, user can only access channels that matches with profile).

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5.44. Regarding Claims 62 and 77, Clayton discloses the method and system, wherein said at least one system channel comprise at least one of: a channel listing providing information on each of said plurality of rich media channels available for subscription; a headline channel for displaying a summary of each of said plurality of rich media channels subscribed to, said summary displayed in a single channel; a promotions channel for displaying one or more promotions directed to a plurality of subscribers to said mobile information system; visual elements of said iMR; and a game channel (Col. 11: 7-20, program listing via database 194; Fig. 3, ref 194, ref 196, ref 188, ref 202, Col. 11: 1-38, the internet gateway comprising streaming data servers 188 as discovery channels, broadcast relational database 194 shows current playing channels; advertising database 196 for showing promotions channels; Fig. 2, ref 160, multimedia device containing LCD display screen for visually displaying, i.e. visual elements, the hierarchical channels; Col. 7: 4-12, personal information services comprising email, stock quotes, interactive audio games, etc).

5.45. Regarding Claims 78, 84, 90 and 96, Clayton discloses the method and mobile rich media information system (Figs. 1-3, Col. 8: 31-67) comprising: an enhanced subscription server configured to retrieve information from at least one of a plurality of Internet sources and compile at least one subscriber-specific data stream for a mobile device based upon channel subscription information associated with the mobile device, the channel subscription information comprising a channel selection (Figs. 1-3, Col. 5: 65-Col.6: 25, a Internet

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gateway 30, i.e. subscription server, with central gateway servers and multiple application servers configured to receive from Internet content data to create personal information channels); wherein the at least one subscriber-specific data stream comprises channel content data for populating one of a plurality of channels corresponding to the channel selection (Figs. 1-3, Col.6: 26-54, subscriber's data stream contains audio broadcast data such as music, email traffic alerts, etc., populated into different types of channels for user to select on screen); and wherein the mobile device is configured to display the channel content data with a visual appearance provided by an interactive multimedia runtime container associated with the one of the plurality of channels, the interactive multimedia runtime container residing within the mobile device (Fig. 2, ref 166, 170, Col. 10: a radio device display 160 with interactive multimedia soft action buttons or selectors 162, 166, 170, 172 embedded in software application stored in memories 50, 92, i.e. iMRC, operable on the display 160 for user to navigate and select one of the preferred channel subscribed by user).

5.46. Regarding Claims 79 and 85, Clayton discloses the method and system, wherein the enhanced subscription server is configured to transmit a signal to the mobile device to indicate an availability of updated channel content data (Col. 7, 19-24, the gateway server 30 with event driven personal information service sends user warning about important event).

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5.47. Regarding Claims 80, 86 and 98, Clayton discloses the method and system, wherein the enhanced subscription server is configured to receive a channel content data request from the mobile device and to transmit updated channel content data to the mobile device (Col. 11: 22-39, user select content and press button to transmit request to server. After look up, the server responds with updated information to user).

5.48. Regarding Claims 81 and 87, Clayton discloses the method and system, wherein the at least one subscriber-specific data stream comprises channel application data associated with the one of the plurality of channels corresponding to the channel selection, the channel application data being operable to modify the visual appearance provided to the channel content data by the interactive multimedia runtime container (Col. 7: 4-3, application can be downloaded to device 20; Col. 12: 1-7, gateway also transmits other software applications to the device 20 referred to channels for personal information services).

5.49. Regarding Claims 82 and 88, Clayton discloses the method and system, wherein the enhanced subscription server is configured to transmit a signal to the mobile device to indicate an availability of updated channel application data (Col. 6, 26-37, via the remote programmable device 40 user can customize and send request to configure, download application from server to multimedia device 20).

5.50. Regarding Claims 83 and 89, Clayton discloses the method and system, wherein the enhanced subscription server is configured to receive a channel application data request from the mobile device and to transmit updated channel application data to the mobile device (Col. 11: 7-21, internet gateway update broadcast listing and transmit the update through out the day; navigation server also transmit to user navigation data when the location change (Col. 8: 7-11)).

5.51. Regarding Claims 91 and 97, the rejection is based on Clayton disclosure similar to Claims 79 and 85 above.

5.52. Regarding Claims 92 and 100, Clayton discloses the method and system, wherein the at least one subscriber-specific data stream comprises channel application data associated with the channel selection, the channel application data being operable to modify the visual appearance provided to the channel content data by the interactive multimedia runtime container (Col. 7: 4-3, application can be downloaded to device 20; Col. 12: 1-7, gateway also transmits other software applications to the device 20 referred to channels for personal information services).

5.53. Regarding Claims 93 and 102, the rejection is based on Clayton disclosure similar to Claims 83 and 89 above.

5.54. Regarding Claim 94, Clayton discloses the method and system of claim 90, the mobile device further comprising a plurality of channel data storage units, each of the plurality of channel data storage units being associated with a

corresponding one of the plurality of channels subscribed to by the mobile device (Fig. 2, ref 50, 92, Col. 8: 26-56, memories 50, 92 for storing plurality of applications associated with content data channels).

5.55. Regarding Claim 95, Clayton discloses the method and system of claim 94, the mobile device further comprising a push engine for allocating channel content data received from the enhanced subscription server into corresponding ones of the plurality of channel data storage units associated with each of the plurality of channels (Fig. 2, ref 172, 174, Col. 10: 26-36, program running on device 20 control action buttons such that when executed, the output of the program can be saved into gateway server channels for future retrieve or fulfilling a purchase order).

5.56. Regarding Claim 99, the rejection is based on Clayton's disclosure similar to Claims 81 and 87 above.

5.57. Regarding Claim 101, the rejection is based on Clayton's disclosure similar to Claims 82 and 88 above.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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- Cohen (U.S. Patent 5,751,968) teaches a system and method for distributing multi-media presentations in a computer network.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL P. TRAN whose telephone number is 571-270-1944. The examiner can normally be reached on Monday to Thursday 8:00AM - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NAY MAUNG can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PAUL P TRAN/
Examiner, Art Unit 2618

/Nay A. Maung/
Supervisory Patent Examiner, Art Unit
2618

March 18, 2009